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PART I—Section 1

Notifications relating to Non-Statutory Rules, Regulations and Orders and Resolutions issued by the Ministries of the Government of India (other than the Ministry of Defence) and by the Supreme Court

MINISTRY OF COMMERCE AND CONSUMER INDUSTRIES

ORDER

EXPORT TRADE CONTROL

New Delhi, the 20th December 1956

No. Export(1)/AM(45).—In exercise of the powers conferred by Section 3 of the Imports and Exports (Control) Act, 1947 (XVIII of 1947), the Central Government hereby directs that the following further amendment shall be made in the Exports (Control) Order, 1954 published with the Order of the Government of India in the late Ministry of Commerce and Industry No. Export(1), dated the 10th May, 1954, namely:—

In Schedule I to the said Order—

Under the heading, "B Raw Materials and articles mainly unmanufactured" for entry (iii) of item 17, the following shall be substituted:—

"(iii) Oleo-resin ex Pinus longifolia, and"

T. S. KUNCHITHAPATHAM, Under Secy.

MINISTRY OF AGRICULTURE

(I.C.A.R.)

New Delhi, the 14th December 1956

No. 6-159/56-Com.II.—In pursuance of bye-law XII(4) of the Bye-laws of the Indian Central Tobacco Committee, the audited statement of receipts and payments account of the Committee for the financial year 1955-56 together with the Audit Report thereon are published for general information.

AUDIT REPORT ON THE ACCOUNT OF THE INDIAN CENTRAL TOBACCO COMMITTEE FOR 1955-56.

I. *Introductory*—(a) The accounts of the Indian Central Tobacco Committee were last audited in August 1955. During the present audit the accounts for 1955-56 were test checked.

(b) The post of the Secretary of the Committee is being held by Dr. M. S. Patel.

(c) A statement of receipts and payments account of the Committee for the financial year 1955-56 is appended.

(d) The audit report includes only the major and important irregularities and not the minor ones which have been included in a separate audit note issued to the Secretary.

II. Grants, etc., paid by the Committee.—Certificates of audit in respect of grants made by the Committee are still due in respect of items detailed in Annexure I and II. Completion reports have also not been received in the case of works entrusted to the Central Public Works Department. Action may please be taken to get the audit certificates early. In the case of works which have not been completed, statements of expenditure and report of progress of work may be obtained.

III. Redrying Plant.—A reference is invited to Para VI of the Audit Report for 1952-53. The amounts of expenditure to end of 1955-56 in connection with the proposed erection of the Redrying Plant are given below:—

	Rs.	A.	P.
1948-49 . . .	1,66,000	0	0
1949-50 . . .	16,868	0	0
1950-51 . . .	47,848	5	3
1951-52 . . .	2,03,058	11	6
1952-53 . . .	53,142	1	10

	Rs.	A.	P.
1953-54 . . .	6,209	3	9
1954-55 . . .	1,313	11	0
1955-56 . . .	1,474	14	0
Total including cost of land Rs 82,472 6 4	4,95,914	15	4

The following are the details of expenditure incurred in 1955-56.

	Rs.	A.	P.
Rent of godown at R. 100 P. M.	1,200	0	0
Ground Rent, Municipal Taxes for land	227	6	0
Fees to the Pleader	47	8	3
	1,474	14	0

It is learnt that the sale of the Plant has been finalised and that 10 per cent. of the book value has also been collected from the purchaser. Necessary action may be taken to get the orders of competent authority for write off of the infructuous expenditure incurred so far on the maintenance etc. of the Plant under intimation to audit.

(Sd.)
Deputy Accountant General,
Outside Audit Department.

INDIAN CENTRAL TOBACCO COMMITTEE

Receipts and payments account for the year ended 31st March 1956

RECEIPTS				PAYMENTS			
	Rs.	A.	P.		Rs.	A.	P.
I. Opening Balance on 1-4-1955				I. Administration of the Committee			
					13,88,199	8	11
II. Government of India grant for 1955-56.				II. Improvement of the Agriculture of tobacco :			
					16,00,000	0	0
III. Other Receipts :—				(a) Expenditure on Research Stations :			
(a) Receipts from Research Stations.				(i) Central Tobacco Research Institute, Rajahmundry.			
(i) Central Tobacco Research Institute, Rajahmundry.	39,222	13	0		5,02,269	13	0
(ii) Cigarette Tobacco Research Sub-Station, Guntur.	11,542	0	0	(ii) Scheme for Research on the physiology of groundnut and sesamum at the Central Tobacco Research Institute, Rajahmundry	7,308	9	6
(iii) Cigar and Cheroot Tobacco Research Station, Vadasandur.	18,337	6	6	(iii) Scheme for growing tobacco in paddy lands at the Central Tobacco Research Institute, Rajahmundry.	1,244	0	0
(iv) Hookah & Chewing Tobacco Research Station, Pusa.	17,353	1	6	(iv) Scheme for preliminary investigations on the cigarette beetle (Lasioderma Scierorne) and Control measures thereof in tobacco storage.	1,361	13	0
(v) Wrapper & Hookah Tobacco Research Station, Dinahata.	6,268	14	6	(v) Scheme for classification for f.c.v. tobacco into saline and non-saline areas.	410	0	0
(b) Receipts from Schemes :				(vi) Cigarette Tobacco Research Sub-Station, Guntur.	6,445	11	2
(i) Bidi Tobacco Research Scheme, Anand.	11,739	2	3	(vii) Hookah and Chewing Tobacco Research Station, Pusa, Bihar.	59,279	11	3
(ii) Seed Multiplication Farm Scheme, Anand.	15,571	4	0	(viii) Cigar and Cheroot Tobacco Research Station, Vadasandur.	1,09,425	15	1
(c) Sundry Receipts :	6,578	11	9	(ix) Wrapper and Hookah Tobacco Research Station, Dinahata.	65,336	15	6
(d) Receipts from Committee's Publications.				(b) Grants-in-aid :			
(i) Receipts from the sale of 'Indian Tobacco' and 'Tobacco Bulletin' and advertisements in the same.	4,355	2	8	(i) Bidi Tobacco Research Scheme, Anand.	1,49,300	0	0
(ii) Receipts from the sale of Tobacco Directory and advertisements in the same.	7,017	11	0	(ii) Bidi Tobacco Research Sub-Station, Nipani.	18,330	0	0
(e) Deposits Received	400	0	0	(iii) Scheme for physical & Chemical characters of Bidi tobacco Anand.	10,430	0	0

RECEIPTS				PAYMENTS			
	Rs.	A.	P.	Rs.	A.	P.	Rs. A. P.
(f) <i>Indian Central Tobacco Committee Provident Fund.</i>	77,255	1	0	2,15,641	4	2	(iv) Hookah Tobacco Research Sub-Station Ferozepur. 24,390 0 0
IV. Interest on Investments				19,625	8	0	(v) Scheme for improvement of indigenous tobacco in U.P. 16,230 0 0
V. Grant from Imperial Tobacco Company of India Ltd., towards student-ship.				29,000	0	0	(vi) Scheme for experimental cultivation of Jaffna tobacco in T.C. State. 3,310 0 0
VI. Grant from Indian Central Oilseeds Committee.				6,640	0	0	(vii) Exploratory Station for cigarette tobacco in Assam. 9,155 8 0
VII. Amount refunded by the High Commission in United Kingdom.				5,995	0	0	(viii) Exploratory Station, for cigarette tobacco in Uttar Pradesh. 6,260 0 0
VIII. Redrying Plant (land only).				67,217	15	0	10,48,498 0 6
IX. Amount received towards the assets of the Tobacco Grading Scheme.				3,933	11	6	
<i>Bank Reconciliation Statement :</i>				III. <i>Development and Improvement of Tobacco and its products :</i>			
State Bank of India, Madras	8,26,106	6	0	(a) Scheme for seed multiplication and growing general crops of tobacco, Anand.	57,830	0	0
State Bank of India, Bombay	5,898	6	3	(b) Organisation of tobacco crop contest.	3,527	8	0
Post Office Savings Bank, Mysore.	10,338	2	0	(c) Scheme for conducting comparative trials of Farm vs. Farmers methods of cultivation in fields of tobacco growers in Bihar.	613	14	0
	8,42,342	14	3	(d) Scheme for short training course in tobacco curing at Rajahmundry and Guntur.	7,221	12	9
Less uncashed cheques	5,733	14	0				69,193 2 9
	8,36,609	0	3*	IV. <i>Improvement of Marketing of tobacco :</i>			
				(a) Tobacco Grading Scheme.	5,101	3	0
				(b) Tobacco Sales Officer in U. K.	..		
				(c) Exploratory Marketing Centre, Bhagwanpur	6,390	0	0
				(d) Co-operative Marketing Scheme.	16,000	0	0
							27,491 3 0
				V. Redrying Plant			1,474 14 0
				VI. <i>Miscellaneous :</i>			
				(a) Imperial Tobacco Co. Studentship.	17,323	6	0
				(b) Deposits refunded	400	0	0
				(c) Provident Fund deposited refunded.	10,474	0	0
							128,197 6 0
				VII. <i>Cash and other balances:</i>			
				(a) <i>Investments :</i>			
				(i) 3% Government of India Loan 1970-75 of the face value of Rs. 7,54,100/-.	7,54,100	0	0
				(b) National Savings Certificates.	60,000	0	0
				(c) National Savings Certificates (P. F.) : including National Savings Certificates for Rs. 56,000 purchased during the year.	2,12,000	0	0
				(d) Current account with the State Bank of India, Madras, Bombay and Post Office Savings Bank, Mysore.	8,36,609	0	3*
							18,62,709 0 3
				VIII. <i>Advances to be adjusted :</i>			
				(a) <i>Research Stations :</i>			
				(f) Central Tobacco Research Institute, Rajahmundry.	42,677	8	5

RECEIPTS			PAYMENTS		
Rs.	A.	P.	Rs.	A.	P.
			(ii) Cigarette Tobacco Research Sub-Station, Guntur.	6,276	7 2
			(iii) Hookah & Chewing Tobacco Research Station, Pusa, Bihar.	7,339	5 3
			(iv) Wrapper & Hookah Tobacco Research Station, Dinhata.	16,327	3 6
			(v) Cigar & Cheroot Tobacco Research Station, Vendasandur.	9,487	6 0
			(b) Other Advances	11,291	5 10
					93,399 4 2
			IX. Imprests :		
			(i) Secretary, Indian Central Tobacco Committee.	500	0 0
			(ii) Director, Tobacco Research, Central Tobacco Research Institute, Rajahmundry.	1,000	0 0
			(iii) Officer-in-Charge, Hookah & Chewing Tobacco Research Station, Pusa, Bihar.	1,000	0 0
			(iv) Officer-in-Charge, Cigar & Cheroot Tobacco Research Station, Vendasandur.	1,000	0 0
			(v) Officer-in-charge, Wrapper & Hookah Tobacco Research Station, Dinhata.	1,000	0 0
			(vi) Officer-in-charge, Cigarette Tobacco Research Sub-Station, Guntur.	1,000	0 0
					5,500 0 0
					33,36,252 15 7

(Sd.)

Secretary, Indian Central Tobacco Committee.

Audit Certificate

Checked and found correct subject to the remarks contained in the report appended.

(Sd.)

Assistant Accounts Officer, O. A. D.

ANNEXURE I

(Vide Para II of the Report)

List of outstanding audit certificates for grants and subsidies paid to States and other institutions to the end of 31-3-1956.

	Rs.	A.	P.
I. 1950-51 :			
1. Indian Agricultural Research Institute (Delhi) being the estimated cost of Tobacco Sub-Station for 1946-47	32,470	0 0	191 7 11
	32,661	7 11	
2. Tobacco Breeding Sub-Station, Guntur, 1944-45	21,300	0 0	
Do. 1945-46	24,300	0 0	
II. 1951-52			Nil
III. 1952-53 to 1954-55 :			
(a) Amount paid to the C.P.W.D. for the provision of electrical installation in the residential and non-residential buildings in the Central Tobacco Research Institute, Rajahmundry for 1952-53	34,409	0 0	
Do. 1953-54	700	0 0	
1953-54 for Electrical installation	7,452	0 0	
1953-54 for Centrifugal Pump	228	0 0	
1954-55 for electrification of G. type grs.	2,425	0 0	
	45,214	0 0	

(b) Amounts paid to the C.P.W.D. Madras for carrying out repairs and construction of buildings at Central Tobacco Research Institute, Rajahmundry	Rs.	A.	P.
1. Rs. 18,200 for Construction of well.			
2. Rs. 70,000 for construction of Farm stead.			
3. Rs. 20,790 for the well.			
4. Rs. 6,000 overhead tank.			
5. Rs. 2,903 repairs to buildings.			
6. Rs. 3,030 pump house.			
7. Rs. 2,500 for petty works.			
8. Rs. 2,72,900 for farmstead.			
9. Rs. 44,380 construction of office and residential accommodation	4,40,703	0 0	
IV. 1954-55 :			
1. Grant paid to the Government of Assam for the scheme for Exploratory Station for cigarette tobacco for 1954-55	6,650	0 0	
2. Grant paid to the Government of Bihar for the Exploratory Marketing Centre at Bhagwanpur for 1954-55	5,100	0 0	

ANNEXURE II

(Vide Para II of the Report)

List of grants and subsidies paid to the States and other institutions as an advance payment for the year 1955-56.

	Rs.	A.	P.
1. Grant paid to the Government of Uttar Pradesh for the Exploratory Stations for Cigarette tobacco for 1955-56	6,260	0 0	
2. Grant paid to the Government of Bombay for the Bidi Tobacco Research Sub-Station, Nipani for 1955-56	18,330	0 0	

3. Grant paid to the Government of Bihar for the Scheme for the Exploratory Marketing Centre at Bhagwanpur for 1955-56	6,390 0 0
4. Grant paid to the Punjab State Government for the Hookah Tobacco Research Sub-Station, Ferozepur for 1955-56	24,390 0 0
5. Grant paid to the Government of Assam for the Scheme for cigarette tobacco production in Assam for 1955-56	8,800 0 0
6. Grant paid to the Government of Bombay for the Co-operative Societies for 1955-56	16,000 0 0
7. Grant paid to the Government of Uttar Pradesh for the scheme for the improvement of indigenous tobacco in Uttar Pradesh for 1955-56	16,230 0 0
8. Grant paid to the Andhra State for the scheme for organization for Tobacco crop contest for 1955-56	3,527 8 0
9. Amount paid to the Central P.W.D. for the construction of Laboratory Buildings at Central Tobacco Research Institute, Rajahmundry	1,88,360 0 0
10. Amount paid to the Central P.W.D. Bombay for the electrical installation at the Farmstead in Central Tobacco Research Institute, Rajahmundry	5,800 0 0
11. Amount deposited with the Central P.W.D. for automatic chlorination of water supply for the Farmstead at Central Tobacco Research Institute, Rajahmundry	2,130 0 0
12. Amount advanced to the Central P.W.D. for repairs to Farm buildings at Central Tobacco Research Institute, Rajahmundry	1,692 0 0
13. Grant paid to the Director, Institute of Agriculture, Anand for the scheme for research on bidi tobacco at the Institute of Agriculture Anand for 1955-56	1,49,300 0 0
14. Grant paid to the Director, Institute of Agriculture, Anand for the scheme for the study of physical and chemical characters of bidi tobacco for 1955-56	10,430 0 0

15. Grant paid to the Director, Institute of Agriculture, Anand for the Seed Multiplication Farm Scheme for 1955-56 57,830 0 0

MOKAND LALL, Under Secy.

(I.C.A.R.)

RESOLUTION

New Delhi, the 6th December 1956

No. 1-93/56-Com.I.—Consequent on the Re-organisation of States the following will be substituted for the existing Clauses (vii) to (ix) of para. 3 of Resolution No. 43-11/48-Com. dated the 21st May, 1949 constituting the Indian Central Arecanut Committee with immediate effect:—

(vii) Sixteen persons representing the growers of arecanut in India of whom six shall be nominated by the Government of Kerala, five by the Government of Mysore, two by the Government of Assam and one each by the Governments of Madras, Bombay and West Bengal.

(viii) Eight persons representing the Department of Agriculture respectively of Madras, Bombay, West Bengal, Assam, Mysore, Andhra, Kerala and Orissa appointed in each case by the Government concerned.

(ix) Seven persons representing the trade in arecanut one each being nominated by the Governments of Madras, Mysore, Kerala, the all India Supari (Betelnut) Federation, the Federation of the Indian Chambers of Commerce and Industry the Palghat Chamber of Commerce and the Kanara Chamber of Commerce.

Ordered that the Resolution be published in the Gazette of India for general information.

M. S. RANDHAWA. Addl. Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 20th December 1956

No. F. 3 (1)-FL/56.—Statement of the Affairs of the Reserve Bank of India as on the 14th December, 1956.

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up	5,00,00,000	Notes	6,81,52,000
Reserve Fund	5,00,00,000	Rupee Coin	9,18,000
National Agricultural Credit (Long-term Operations) Fund	15,00,00,000	Subsidiary Coin	7,75,000
National Agricultural Credit (Stabilisation) Fund	1,00,00,000	Bills Purchased and Discounted :—	
Deposits :—		(a) Internal
(a) Government :—		(b) External
(1) Central Government	51,68,52,000	(c) Government Treasury Bills	10,52,68,000
(2) Other Governments	11,20,23,000	Balances held abroad*	85,62,52,000
(b) Banks	54,25,93,000	Loans and Advances to Governments	8,08,70,000
(c) Others	13,61,93,000	Other Loans and Advances	89,44,24,000
Bills Payable	15,47,52,000	Investments	60,53,03,000
Other Liabilities	102,98,29,000	Other Assets	14,02,80,000
TOTAL	275,22,42,000	TOTAL	275,22,42,000

*Includes Cash and Short term Securities.

†(1) The item 'Other Loans and Advances' includes Rs. 47,52,36,000 advanced to scheduled banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

(2) The total amount of advances availed of by scheduled banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act since 1st January 1956 is Rs. 399,89,89,000.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 14th day of December, 1956.

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	6,81,52,000		A.—Gold Coin and Bullion i—		
Notes in circulation	1466,86,07,000		(a) Held in India	117,76,03,000	
Total Notes issued		1473,67,59,000	(b) Held outside India	..	
			Foreign Securities	447,30,03,000	
			Total of A		565,06,03,000
			B.—Rupee Coin		123,26,84,000
			Government of India Rupee Securities		785,34,69,000
			Internal Bills of Exchange and other commercial paper		..
TOTAL LIABILITIES		1473,67,59,000	TOTAL ASSETS		1473,67,59,000

Dated the 18th day of December, 1956.

B. RAMA RAU, Governor.

H. M. PATEL, Secy.

(Department of Economic Affairs)

CORRIGENDUM

New Delhi, the 22nd December 1956

No. F.8(14)-NS/56.—In the Ministry of Finance Resolution No. F.8(14)-NS/56, dated the 29th October, 1956, published in the Gazette of India, Part I Section 1, dated the 3rd November, 1956, reconstituting the Central Advisory Committee for Women's Savings Campaign into that the central and State Advisory Boards, the following corrections shall be made:—

- (i) In the entry under 4. *Rajasthan State Advisory Board—Members*—against Serial No. 3 please read "Smt. Subodh Kumari, C/o Shri Kan Singh, Tehsildar, Bikaner" for "Smt. Subhadra Devi, Mahila Mandal, Bikaner".
- (ii) In the entry under 14 *Andhra State Advisory Board—Vice-chairman*—against Serial No. 1 please read "Smt. A. Shyamala Devi for "Smt. Y. Shyamaladevi".

K. C. DAS, Under Secy.

ERRATUM

In the Ministry of Finance (Department of Economic Affairs) Notification No. F.3(1)-FI/56 dated the 5th December 1956, published on page 438 of the *Gazette of India*, Part I—Section 1, dated the 15th December 1956, against the total amount of advances availed of by scheduled banks against usance bills since 1st January 1956, for the figure "377, 35, 75,000" read "377, 36, 75,000".

MINISTRY OF EDUCATION

New Delhi, the 24th December 1956

SUBJECT.—All India Council for Secondary Education.

No. F.15-1/56-D-4-D-6(RHE).—Sarvashri R. P. Naik, Secretary, Education Department, Madhya Pradesh Government and Dr. A. C. Joshi, Secretary, Education Department, Madhya Pradesh Government have been nominated on the All India Council of Secondary Education with effect from the 1st November, 1956, for the unexpired portion of the term ending 6th September, 1958, vice Shri Y. Bhargava and Shri Sundararaja Naidu Ex-Education Secretary, Madhya Bharat and Ex.-D.P.I.'s Travancore-Cochin, respectively under para. 6 of Government of India Notification No. F.18-2/55-D-1, dated the 1st August, 1955.

SHAM NARAYAN, Asstt. Edu. Adviser.

AMENDMENT TO RESOLUTION

New Delhi, the 24th December 1956

No. F.21-5/56-D.3.—In continuation of the Ministry of Education Notification No. F. 21-5/56-D.3., dated the 10th August, 1956 and subsequent amendment of even No. dated the 1st November, 1956, containing the Government Resolution on the subject of establishment of a National College of Physical Education the

following amendment is made to the said Resolution, namely:—

The name "Lakshmibai College of Physical Education" should be substituted for the "National College of Physical Education" wherever it occurs in the Resolution.

Ordered that a copy of this Resolution be published in the Gazette of India and communicated to all concerned.

ASHFAQUE HUSAIN, Jt. Secy.

MINISTRY OF TRANSPORT

(Transport Wing)

RESOLUTION

(Ports)

New Delhi, the 10th December 1956

No. 7-PH(19)/54.—The Government of India have decided that the Secretary to the Government of India Ministry of Agriculture, or his nominee shall be an additional member of the National Harbour Board, as reconstituted by the Ministry of Transport Resolution No. 7-PH(19)/54, dated the 11th January, 1955.

ORDER

Ordered that a copy of this Resolution be communicated to the members of the Board, the Private and Military Secretaries to the President the Prime Minister's Secretariat, the Cabinet Secretariat, the Planning Commission, the Ministries of the Government of India, and the State Governments concerned.

Ordered also that the resolution be published in the Gazette of India for general information.

T. S. PARASURAMAN, Dy. Secy.

MINISTRY OF LABOUR

New Delhi, the 19th December, 1956

No. LR.10(31)/56.—The following decision of Shri D. E. Reuben, Member, Labour Appellate Tribunal, in respect of a matter referred to him under section 6 of the Industrial Disputes (Banking Companies) Decision Act, 1955, by the notification of the Government of India in the Ministry of Labour No. S.R.O. 1929, dated the 23rd August 1956, is hereby published for general information.

BEFORE SHRI D. E. REUBEN, MEMBER, LABOUR APPELLATE TRIBUNAL OF INDIA, AT BOMBAY

REFERENCE No. B-7 of 1956.

BETWEEN

Bank of Baroda Employees' Union, Bombay

AND

The Bank of Baroda, Bombay.

In the matter of Reference under Section 6, sub-section 1 of the Industrial Disputes (Banking and Companies Decision) Act, 1955 "whether Shri P. Neroy, Air Condition Plant Operator and Electrician of the Bank of Baroda, Bombay, is entitled for special allowance in accordance with paragraph 164 of the award of the All India Industrial Tribunal, (Bank Disputes)".

Dated, the 13th Day of December 1956

PRESENT:

Shri D. E. Reuben—Member.

APPEARANCES:

For Workmen.—Shri N. V. Phadke, Advocate, with Shri S. N. Nadkarni, M. Rajagopal, Prey Neroy, President, General Secretary and Vice-President respectively.

For Management.—Shri B. K. Daphtary, Solicitor with Shri S. R. Adwalpalkar.

State: Bombay

Industry: Banking.

DECISION

The following reference has been made to me under Section 6, sub-section 1, of the Industrial Disputes (Banking Companies Decision) Act, 1955:—

"Whether Shri P. Neroy, Air Condition Plant Operator and Electrician of the Bank of Baroda, Bombay, is entitled for special allowance in accordance with paragraph 164 of the award of the All India Industrial Tribunal, (Bank Disputes), constituted by the notification of the Government of India in the Ministry of Labour No. S.R.O. 35, dated the 5th January 1952, modified as aforesaid."

2. Shri Neroy was appointed on the 19th May 1949 as Air Condition Plant Operator and Electrician in the service of the Bank of Baroda, Bombay, on a monthly salary of Rs. 125 plus dearness allowance. In implementation of the Sastri award he was placed by the Bank in the grade awarded by the Sastri Tribunal for clerks, and he has been getting his wages and allowances accordingly. This reference has been made because he claims the Electrician Allowance of Rs. 30 per month under the Sastri Award, as modified by paragraph 133 of the Labour Appellate Tribunal's appellate decision, and the Bank contests its liability to pay the allowance. According to the Bank there are two recognised grades of employees, the Air Condition Plant Attendant who has been awarded the clerical grade, and the Electrician who belongs to the subordinate staff. The Bank's contention is that the special allowance of Rs. 30 has been given to the Electrician, an employee in the subordinate grade, and that Shri Neroy, being an Air Condition Plant Operator, is not entitled to it.

3. In its written statement the Bank raises a question as to the competence of the Reference, on the ground that the allowance claimed was not granted under paragraph 164 of the Sastri award. The question of special allowance was dealt with by the Sastri Tribunal in Chapter X of its award. The order granting special allowance to certain clerical grades is contained in paragraph 164 of that chapter, and in paragraph 166 the Tribunal rejected the claim of other clerical grades for special allowance. Paragraph 169 relates to subordinate staff, and grants special allowances to several categories of the subordinate staff, including drivers but not including electricians. Chapter V of the Appellate Tribunal's decision is concerned with special allowances and the direction giving a special allowance to electricians is contained in paragraph 133, the quantum of the allowance being "the same scale as prescribed by the Sastri Tribunal for drivers". According to the Union this direction covers all electricians whatever grade they may be classed in. Under section 16 of the Industrial Disputes (Appellate Tribunal) Act the decision of the Appellate Tribunal when it becomes enforceable is deemed to be substituted for the original decision. In the present case Shri Neroy is classed in the clerical grade. In this view the special allowance which he claims can properly be described as an allowance granted under paragraph 164 of the award. In any case, the meaning of the Reference is clear and no prejudice can be suggested to have been caused by doubt as to what is the question referred for decision. Hence, the technical objection has not been seriously pressed before me by Shri Daphtary.

4. On receipt of the Reference the parties were called on to file statements of their respective cases and have done so. The substance of these statements have been reproduced above. The relevant facts are not in dispute and therefore no necessity was found for oral evidence. The following documentary evidence was filed, namely Ex. A (filed by the Bank)—the appeal paper book prepared for the use of the Appellate Tribunal in the Bank's Appeals for the presentation of the case so far as it related to the Bank of Baroda, Ex. 1 (filed by the Union), a statement of the duties of Shri Neroy in connection with the Air Condition Plant, and

Ex. 2 (filed by the Union), a statement of the duties which he has to perform in the capacity of electrician. The two statements were produced before the Conciliator in the proceedings leading up to this reference, and the duties as set out therein were accepted for the purpose of this case as correctly described.

5. On behalf of the Union, Shri Phadke stressed the general language used by the Labour Appellate Tribunal in awarding the special allowance for electricians. There is nothing in the Labour Appellate Tribunal's decision, he contended, to confine the allowance to electricians classified in the subordinate grade. It could not have been contemplated that where a Bank has an employee in the clerical grade who is capable of doing the work of the electrician, it must nevertheless employ a subordinate for doing this work and pay him the special allowance. On the other side, the argument of Shri Daphtary was as follows. In the demand of the All India Bank Employees Association the employees in respect of whom the demands were made were classified into four grades (vide page 32 of Ex. A). In grade I, Sub-Grade B, the Association included liftsmen, drivers, electricians and Air Condition Plant subordinates. It placed the Air Condition Plant Attendant, however, in grade II, along with routine staff in the General and Cash departments, godown keepers, Poddars, Munshis, Typists, Stenographers and Sircars, that is to say employees belonging to the clerical grades. Under its demand No. 3, the Association claimed a special allowance of Rs. 75 for the Air Condition Plant Attendant, and there was no claim for a special allowance in respect of the electrician. It should be made clear here that, in mentioning that there was no claim for a special allowance for the Electrician, Shri Daphtary did not intend to suggest that Sastri Tribunal had no jurisdiction to make such an award. As is clear from chapter I of the award the Special Allowances were given to employees with regard to their special qualifications or skill. In paragraph 162, the Sastri Tribunal observed that the higher emoluments which a workman deserves on this ground can be given to him in one of three ways: (1) by additional increments in the same scale, (2) by a lump sum allowance in addition to other emoluments, and (3) by a higher scale. In some cases the Tribunal adopted method No. (1) and in others method No. (2). Thus, Special Allowances were awarded as part of the basic wage and were treated as such (vide paragraph 138 of the decision of the Labour Appellate Tribunal). Therefore they may be regarded as covered by the demand under that head. To go back to the contention of Shri Daphtary, he pointed out that the demand for a Special Allowance for the Air Condition Plant Attendant was refused by the Sastri Tribunal, that no appeal against this refusal was filed by the All India Bank Employees' Association, that no Special Allowance was claimed on behalf of the Electrician, and that the question of a Special Allowance for the Electrician was taken up by the Labour Appellate Tribunal only at the instance of Shri Phadke who represented the employees of the Imperial Bank of India and Shri Dudhia who represented the Ahmedabad Bank Employees' Union. Hence, he urged, the Special Allowance given by the Labour Appellate Tribunal is not available to employees of the Bank of Baroda. Finally, he urged, even if it applies, the Special Allowance is available only to an electrician in the subordinate grade.

6. In reply to the first point urged by Shri Daphtary, it was contended by Shri Phadke that my function in this proceeding is purely interpretative that I cannot investigate the jurisdiction of the Labour Appellate Tribunal to make the direction under consideration, and it is not for me to examine to what extent that direction is effective. In my opinion the point raised is not irrelevant, even from the point of interpretation. We must presume that the Labour Appellate Tribunal intended to confine its decision to matters properly arising before it, and we ought not to hold that its decision overstepped this limit unless such a conclusion appears clearly from the decision.

7. On the merits, it is true that in paragraphs 118 and 119 of its decision the Labour Appellate Tribunal rejected the contentions of Shri Prabhat Kar and Shri Chari on behalf of the All India Bank Employees' Association, and that the Special Allowance to the electrician was granted on a point raised by Shri Phadke. But it is also true that the Reference under section 10 of the Industrial Disputes Act, under which the Sastri Tribunal derived its jurisdiction, was a general one which made no distinction between the banks, and covered some banks in respect of which there was an industrial dispute and others which were "likely to be interested in or affected by that dispute", and that the award made by the Sastri Tribunal was a general one, which applied to all the banks without distinction within their respective classes and areas. Under

the Civil Procedure Code, which determines its powers as an appellate court, it was open to the Labour Appellate Tribunal to give to employees of other Banks the relief it was giving to the employee represented by Shri Phadke and Shri Dudhia. Under these circumstances it seems unlikely that the Labour Appellate Tribunal would introduce into the Award an element of discord by discriminating between the employees of one bank and those of another.

8. It is not necessary to say more about this point as I consider that the Bank is entitled to succeed on the second point raised by Shri Daphtary. There were two sets of employees before the Appellate Tribunal, the Air Condition Plant Attendant and the Electrician, the former belonging to the clerical grade and the latter to the Subordinate Grade. The All India Bank Employees' Association's classification of these categories is reproduced in paragraphs 96 and 128 of the Sastri Award, and the Labour Appellate Tribunal, when it gave the special allowance to the Electrician, must have known that it was dealing with a Subordinate. The claim of the Air Condition Plant Attendant for a Special Allowance was not pressed before the Appellate Tribunal, and we must take it that the Appellate Tribunal considered that the basic wage awarded by it gave the Air Condition Plant Attendant a sufficient remuneration, and that his special qualifications and skill, though greater than those of an Electrician, did not call for a Special Allowance. The question is whether we can interpret the Appellate Decision as meaning that an Air Condition Plant Attendant called on to perform the duties of an electrician in addition to minding the Air Condition Plant should get the Electrician allowance of Rs. 30.

9. An idea of the respective duties of the two posts can be obtained from Exhibits Nos. 1 and 2. The duties of an Air Condition Plant Attendant are responsible and heavy and provide him with continuous occupation from day to day. Those of an Electrician are comparatively light and arise only occasionally with one exception, the pumping of water to the tanks on the roof, a task which Shri Neroy shares with a peon specially engaged for the purpose. The Labour Appellate Tribunal must have known the nature and complexity of the duties of the two posts. The Special Allowance was given for personal qualification and skill. The special qualification and skill required to do the work of an electrician have some meaning when considered with reference to a person who is being paid on the Subordinate scale. They have no meaning with reference to an employee who is performing superior duties and is being paid on a superior scale; if it is desired to give such a person a Special Allowance, the Special Allowance would be fixed with relation to the higher qualification and skill required for his work. The fact that the Air Condition Plant Attendant does the work of an Electrician in addition to his own work does not make him an Electrician for the purposes of the Special Allowance, and this is so even though the letter of appointment describes him as Plant Operator and Electrician.

10. For the reasons given above I answer the reference in the negative and hold that Shri Neroy is not entitled to the Special Allowance awarded to the Electrician.

(Sd.) D. E. REUBEN, *Member.*

A. L. HANDA, Under Secy.